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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10  
11 UNITED STATES OF AMERICA, ) No. Cr. S-04-445 MCE  
12 Plaintiff-Appellee, ) STIPULATION AND ~~PROPOSED~~ ORDER  
13 v. ) CONTINUING APPEAL HEARING AND  
14 JOACHIM BENZ, ) BRIEFING SCHEDULE  
15 Defendant-Appellant. )  
16 Date: April 26, 2005  
Time: 8:30 a.m.  
Judge: Hon. Morrison C. England

17 IT IS HEREBY STIPULATED and agreed to between the United  
18 States of America through SAMANTHA S. SPANGLER, Assistant United  
19 States Attorney, and defendant, JOACHIM BENZ, by and through his  
20 counsel, LIVIA MORALES, Staff Attorney, that the parties have  
21 agreed to amend the briefing schedule in this magistrate judge  
22 appeal as set forth below, and to reschedule oral argument from  
23 April 26 to June 14, 2005, at 8:30 a.m.

24 Appellant's opening brief and excerpts of record were filed  
25 on March 22, 2005.

26 Appellee's opposition and any supplemental excerpts may be  
27 filed by Tuesday, April 26, 2005.

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1           Appellant's reply brief may be filed no later than Tuesday,  
2 May 10, 2005.

3           Oral argument shall be held on Tuesday, June 14, 2005, at  
4 8:30 a.m.

5 The defendant is currently not in custody.

6 | DATED: April 12, 2005

McGREGOR W. SCOTT  
United States Attorney

By: /s/  
SAMANTHA S. SPANGLER  
Assistant U.S. Attorney

11 DATED: April 12, 2005

QUIN DENVIR  
Federal Defender

By: /s/  
LIVIA R. MORALES  
Attorney for Defendant  
JOACHIM BENZ

## ORDER

17 IT IS SO ORDERED.

18 | DATED: April 15, 2005

  
MORRISON C. ENGLAND, JR.  
UNITED STATES DISTRICT JUDGE